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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 PENNY MARIE O'NEAL,

9 Plaintiff,

10 v.

11 COMMISSIONER OF SOCIAL SECURITY,

12 Defendant.

CASE NO. 2:19-cv-00782-BAT

**ORDER REVERSING AND  
REMANDING**

13 Pursuant to the stipulation of the parties (Dkt. 15), this case is **reversed and remanded**  
14 for further administrative proceedings. On remand, the Appeals Council will direct the  
15 Administrative Law Judge ("ALJ") to further develop the record and issue a new decision for the  
16 period prior to November 19, 2017. The Appeals Council will instruct the ALJ to reevaluate the  
17 opinion evidence, including the opinions by Dr. Mitchell, Dr. Nestler and Dr. Rea, in light of the  
18 entire record; reevaluate Plaintiff's subjective complaints; reassess whether Plaintiff's  
19 impairments, singly or in combination meet or equal a listing and whether her substance and  
20 alcohol abuse disorder is material to the finding, in accordance with Social Security 13-2p; and,  
21 as needed, proceed with the sequential evaluation process. Medical expert evidence or  
22 supplemental vocational expert evidence may also be obtained.  
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1 This remand is made pursuant to sentence four of 42 U.S.C. § 405(g). The parties have  
2 further stipulated that reasonable attorney fees and costs will be awarded under the Equal Access  
3 to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

4 DATED this 21<sup>st</sup> day of January, 2020.

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7 BRIAN A. TSUCHIDA  
8 Chief United States Magistrate Judge  
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